

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

PNC Bank, National Association



Order Filed on April 2, 2024

by Clerk

U.S. Bankruptcy Court

District of New Jersey

Case No.: 21-19797 JNP

In Re:

Daniel W. Cluff III., a/k/a Daniel Webster  
Cluff, III

Debtor

Hearing Date: 3/5/2024

Judge: Jerrold N. Poslusny, Jr.

**ORDER CURING POST-PETITIOIN ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: April 2, 2024**

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

(Page 2)

Debtor: Daniel W. Cluff III., a/k/a Daniel Webster Cluff, III

Case No: 21-19797 JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 244 Fishing Creek Road, Cape May, NJ, 08204, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Rex Roldan, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of March 15, 2024 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2023 through March 2024 for a total post-petition default of \$767.69 (4 @ \$255.73 less \$255.23 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$767.69 will be paid by Debtor remitting \$127.95 per month for five months and \$127.94 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on April 1, 2024 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume April 1, 2024, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

In re:  
Daniel W. Cluff, III  
Debtor

Case No. 21-19797-JNP  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Apr 03, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 05, 2024:

Recip ID	Recipient Name and Address
db	+ Daniel W. Cluff, III, 244 Fishing Creek, Cape May, NJ 08204-4422

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 05, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 3, 2024 at the address(es) listed below:

Name	Email Address
Andrew B Finberg	on behalf of Trustee Andrew B Finberg ecfmail@standingtrustee.com
Andrew B Finberg	ecfmail@standingtrustee.com
Bruno Bellucci, III	on behalf of Debtor Daniel W. Cluff III jkearney@belluccilaw.net, bbellucci@belluccilaw.net,jkearney@belluccilaw.net,kpalermo@belluccilaw.net
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Jennifer L. Kearney	on behalf of Debtor Daniel W. Cluff III jkearney@belluccilaw.net,

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Apr 03, 2024

Form ID: pdf903

Total Noticed: 1

bbellucci@belluccilaw.net,jkearney@belluccilaw.net,kpalermo@belluccilaw.net

Laura M. Egerman

on behalf of Creditor Legacy Mortgage Asset Trust 2019-GS7 laura.egerman@mccalla.com mccallaecf@ecf.courtdrive.com

Phillip Andrew Raymond

on behalf of Creditor Legacy Mortgage Asset Trust 2019-GS7 phillip.raymond@mccalla.com mccallaecf@ecf.courtdrive.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9